IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Court No.2

Writ Petition No. 1123 (M/S) of 2003

(1) Nikhil Hariya S/o B.D.Hariya,
(2) Vinay Rautela S/o K.S.Rautela,
(3) Nagesh Bhatt S/o M.C.Bhatt,
(4) Pankaj Gurrunai S/o D.Gurruani,
(5) Sumit Bhatt S/o D.C. Bhatt
All are students in Amrapali Institute of Management and Computer Applications, Haldwani. ...Petitioners.

Versus

(1) Kumaon University, Nainital through its Registrar
(2) Vice Chancellor, Kumaon University, Nainital
(3) Dean/Director Amrapali Institute of Management & Computer Applications, Haldwani. ..... Respondents

.....

Hon'ble P.C. Verma, J.

Heard Sri V.B.S.Negi, learned counsel for the petitioners and learned counsel appearing on behalf of respondent No.3.

This writ petition has been filed by the petitioners seeking writ of mandamus to direct the respondents to allow the admission to them in the Vth semester.

Admittedly, the provision in the brochure of the Institute is that in case a candidate has failed in three subjects in IVth semester, he shall be permitted to take admission in Vth semester provisionally and he has to clear all the back papers with the Vth semester. Here the petitioners have failed in four subjects, therefore in case of four subjects, according to brochure, the petitioners have to take re-admission in IVth semester itself. They cannot be permitted to take admission in Vth semester.

Therefore, I do not find any merit in the writ petition. The petition is dismissed accordingly.

(P.C. Verma, J.)

13.11.2003
P.Singh